

mukes, Dummett, Fennell, Galbraith, Haddock, Harris, Haynes, Johnston, Jones of Nassau, Langford, Neel, Pope, Riviere, Rowley, Shine, Thompson of Santa Rosa and Wall—22. Total 35.

FOR PARKER.—*Senate*—Messrs. Cone, Criglar and Long—3.

House—Messrs. Baisden, Brown, Carter, Penn, Porter, Prescott and VanZant—7. Total 10.

BLANK.—*Senate*—0.

House—Mr. Speaker, Messrs. Hollaman, Parsons, and Thompson of Levy—4. Total—4.

The President declared Mr. Savage duly elected Clerk of the Supreme Court of the State of Florida.

The Joint Meeting then adjourned, and the Senate returned to their Chamber.

On motion of Mr. Myrick, the Senate took a recess until 3 o'clock P. M.

3 O'CLOCK, P. M.

The Senate met. A quorum not being present;

On motion of Mr. Tracy, the Senate adjourned until to-morrow morning, 9 o'clock.

SATURDAY, January 6, 1855.

The Senate met pursuant to adjournment.

A quorum being present, on motion of Mr. Brinson, the reading of the Journal of yesterday was dispensed with.

The following Bills which had passed the Senate were transmitted to the House of Representatives, viz:

A Bill to be entitled an Act to amend the general Act for the Incorporation of Towns, Academies and Religious Societies, approved January 6th, 1847;

A Bill to be entitled an Act for the relief of Dr. William S. Wilson and others;

A Bill to be entitled an Act granting aid to the County of Putnam to build a Court House and Jail;

A Bill to be entitled an Act concerning Interest;

House Bill to be entitled an Act to amend an Act approved November 21st, 1828, providing for the appointment of Inspectors of Lumber in the various Counties of this State; and

House Bill to be entitled an Act to amend an Act entitled an Act to grant pre-emption rights to Settlers on State Lands, approved December 31, 1852.

Enrolled Bill, an Act to authorize Thomas H. Willis of Leon County, a minor, to assume the management of his own estate, and

to contract and be contracted with, was transmitted for approval to his Excellency the Governor.

Mr. Long, from the Committee on Enrolled Bills, made the following report:

The Committee on Enrolled Bills have examined and report as correctly enrolled the following:

Resolution in relation to the improvement of St. John's Bar, and the preservation of the site of St. John's Light House;

An Act to be entitled an Act to change the time of holding Circuit Court for Calhoun County;

An Act governing Judges of Probate in certain cases;

An Act explanatory of the several Acts in relation to the migration of negroes or free persons of color into Key West;

An Act to improve the navigation of the Harbor and Bay of Apalachicola;

An Act to prevent fraudulent voting; and

An Act to empower the County Commissioners of Wakulla County to levy a tax for the purpose of building a Court House in said County.

M. A. LONG,

Chairman Committee on Enrolled Bills.

Which was read.

Mr. Long, from the Judiciary Committee, made the following report:

The Judiciary Committee, to whom was referred a communication, in the nature of a Memorial, of a Justice of the Peace of Marion County, in which it is stated that the Judge of the Eastern Circuit holds the opinion, and has decided that appeals do not lie to the Circuit Courts of this State from judgments rendered by Justices of the Peace,

REPORT:

That the memorialist regards this as an evil which the General Assembly is called upon to redress; but as the communication or memorial has been simply referred to the Committee, without any instructions, they are left to conjecture that the object of the reference was to elicit their opinion upon the following points, viz:

1. Whether the ruling of the Judge of the Eastern Circuit is a correct exposition of the Constitution and Laws of the State on the point; and if so,

2. Whether the Legislature have power to confer on the Circuit Courts the necessary appellate jurisdiction.

3. Whether it is expedient for the Legislature to exercise that power; and if so,

4. To prepare a Bill for that purpose.

To each of these points the Committee have directed as much attention and time as has been at their command, consistent with their other numerous and equally important duties.

Upon the first point, viz: the correctness of the opinion of the Judge of the Eastern Circuit, the Committee, believing that the General Assembly have no judicial powers under the Constitution, deem it indelicate and useless to attempt to pass upon the correctness of the opinions or decisions of the Judicial Department of the Government. The Committee have been informed, and believe, that the correctness of that opinion will probably be tested by the Supreme Court, at its ensuing Session in the Eastern part of the State. Whatever, therefore, might be the opinion of the Committee, were it proper for them to express one, they assume the decision to be correct until reversed by the Supreme Court, the decisions of which Court are the supreme law of the land, in the same sense, and to the same extent, that laws constitutionally passed by the Legislature are so denominated. But because the Senate may differ with the Committee as to the propriety of declining to consider the correctness of the decision of the Eastern Judge, and awaiting the final decision of the Supreme Court, your Committee have deemed it their duty to present those clauses of the Constitution and Laws of this State, upon the construction of which the question depends.

The Sixth Clause of the Fifth Article of the Constitution, is in these words:

"The Circuit Courts shall have *original* jurisdiction in all matters, civil and criminal, within this State, not otherwise excepted in this Constitution."

Although this clause certainly does not expressly confer any appellate jurisdiction, it is to be noted that it contains no prohibition.

The Tenth Clause of the Fifth Article of the Constitution, is in these words:

"A competent number of Justices of the Peace shall be, from time to time, appointed or elected in and for each County, in such mode, and for such term of office, as the General Assembly may direct, and shall possess such jurisdiction as shall be prescribed by law; and in cases tried before Justices of the Peace, the right of appeal shall be secured, under such rules and regulations as may be prescribed by law."

It may be remarked, that the appeal here provided for does not mention the tribunal to which the same may be taken, but seems to have left that open, as one of the regulations to be "prescribed by law."

By the Schedule and Ordinance, Article 14, Clause 1, it is declared: "That all laws and parts of laws now in force, or which may be hereafter passed by the Governor and Legislative Council of the Territory of Florida, not repugnant to the provisions of this Constitution, shall continue in force until, by operation of their provisions or limitations, the same shall cease to be in force, or until the General Assembly of this State shall alter or repeal the same."

The Act of 1828 was in force and operation when this Constitu-

tion was adopted, and would seem to have been embraced under the above cited provision of the Constitution—in which Act are the following words:

"If either party shall be dissatisfied with the judgment of the Justice of the Peace, in any cause tried by him, where the amount in controversy shall exceed the amount of ten dollars, such party may, within three days after the adjournment of the Court at which the said judgment was rendered, demand an *appeal* to the Circuit Court of the County; and it shall be the duty of said Justice to grant said appeal, upon the appellant's paying the costs," &c., &c.

Upon the second point, as to the power of the Legislature to confer on the Circuit Courts the necessary appellate jurisdiction, the Committee have to remark, that it is obvious that if the Court has no appellate jurisdiction under the provisions of the above quoted statute, the Legislature can confer none, for this Act is as full and explicit as any which this General Assembly could possibly enact.

As to the third point, whether it is expedient to provide for appeals to Circuit Courts from judgments rendered by Justices of the Peace, the Committee are clearly of opinion that such appeals are loudly demanded for the due administration of justice in this State.

As to the fourth point, viz: the preparation of a Bill with the requisite provisions, the Committee have to remark, in conclusion, that if the jurisdiction does not exist at present, it can only be conferred by an amendment of the Constitution; but because it does not clearly and entirely appear that Circuit Courts are destitute of this jurisdiction—there not having been a decision of the Supreme Court to that effect—the Committee have not thought it proper to prepare a Bill to amend the Constitution.

The Committee, therefore, recommend that said Communication or Memorial be laid on the table, and that it be discharged from the further consideration of the subject.

Respectfully submitted,
M. A. LONG,
Chairman.

Which was read and the report of the Committee concurred in.

Mr. Hopkins, from the Committee on Taxation and Revenue, made the following Report:

The Committee on Taxation and Revenue have had under consideration a Bill to be entitled an Act authorizing the Governor to borrow money to redeem the outstanding State Script, issued under the Act of the 7th January, 1853, and beg leave to

REPORT:

That the Internal Improvement, the Seminary and the School Fund ought not to be loaned out at so low a rate of interest, because we believe the same can easily be invested so as to realize at least 8 per cent. We do not think the obligation of the State to redeem the

outstanding State Script of so immediate and pressing a character as to require the State to borrow money, at any rate of interest, to pay the same. Indeed, we suppose the General Government will pay these claims, if properly applied to, as will doubtless be the case, and we think there exists no necessity for the State to borrow money.

Admitting the power of the State to borrow money to pay this debt, as we are disposed to do, although the subject is not wholly clear of doubts in some minds, still we think the power of loaning money to be repaid by taxation should never be exercised, except under extraordinary circumstances, of the most pressing necessity, which we concur in believing do not exist.

EDWARD HOPKINS, Chairman.

I dissent in so far as the rate of interest goes.

E. HOPKINS.

Which was read and the bill placed among the orders of the day. Also the following:

The Committee on Taxation and Revenue, to whom was referred a Bill to be entitled an Act to amend an Act to raise a Revenue for the State of Florida, and define the duties of the Collectors and Assessors thereof, approved January 24, 1845, have had the same under consideration, and Report, that in their opinion the said bill should not pass.

EDWARD HOPKINS, Chairman.

Which was read and the Bill placed among the orders of the day

Mr. Smith, from the Committee on Claims and Accounts, made the following report:

The Committee on Claims and Accounts, to whom was referred the Petition for relief of William Raulerson and Ransom Foster, have had the same under consideration, and ask leave to

REPORT:

That the subject matter under investigation, to wit, a claim of payment for horses shot, as they say, while in service, should have been rendered, by the Captains of their respective Companies, for payment in the proper time, with their claim for services, as it would, if then allowed, have been refunded by the United States; but having slept over it until this late day, for this General Assembly to assume payment of such claims, and making the State chargeable, would be establishing a bad precedent. We, therefore, however we may sympathize with the parties, do not recommend a bill.

JAMES W. SMITH, Chairman.

Which was read, and the report of the Committee concurred in.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
January 6, 1855. }

Hon. President of the Senate:

SIR:—The following Bills have passed the House, viz:

A Bill to be entitled an Act to amend the Attachment Laws now in force in this State;

A Bill to be entitled an Act to locate the Seminary of Learning to be established west of the Suwannee River in this State;

A Bill to be entitled an Act to authorize W. M. C. Neel to establish a Ferry across the Chattahoochee River;

A Bill to be entitled an Act to provide for the payment of Physicians who are summoned to attend Coroners' Juries;

A Bill to be entitled an Act to repeal an Act entitled an Act to change the name of Oliver Price to that of Oliver Delk, and for other purposes, approved January 8, 1853;

A Bill to be entitled an Act defining the duties of Witnesses in the several Courts of this State;

A Bill to be entitled an Act to legitimize and change the names of certain persons therein named;

A Bill to be entitled an Act for the Preservation of Bridges;

A Bill to be entitled an Act amendatory of the Act to provide for the payment of Coroners' Juries, approved January 24, 1851;

A Bill to be entitled an Act to cede certain property to the City of Key West;

A Bill to be entitled an Act to amend an Act for the regulation of Pilots and Pilotage of the Bay and Harbor of Pensacola, passed the House December 22, 1854; and

A Bill to be entitled an Act to prevent white females and males from living in an open state of Adultery or Adultery and Fornication, within the State of Florida, with negroes and other persons of color.

Very respectfully,

HUGH A. CORLEY,

Clerk House of Representatives.

Which was read, and the Bills placed among the Orders of the Day.

On motion the rule was waived, and Mr. Eppes permitted, without previous notice, to introduce a bill to be entitled an Act concerning the powers and jurisdiction of the Court of Chancery;

Which was placed among the Orders of the Day.

ORDERS OF THE DAY.

A Bill to be entitled an Act amendatory of an Act entitled an Act amendatory of the several Acts now in force in this State in relation to trading with negroes;

Was read the first time, the rule waived, read the second and third times by its title, and upon the question of its passage, the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Filor, Hopkins, Long and Tracy—9.

Nays—Messrs. Eppes, Gillis, Myrick, Nicholson and Smith—5.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

A Bill to be entitled an Act to repeal an Act entitled an Act to change the name of Oliver Price to that of Oliver Delk, and for other purposes;

Was read the first time and ordered for a second reading on Tuesday next,

A Bill to be entitled an Act relative to the claim of David P. Hogue for services rendered the State;

Was read the second time and ordered to be engrossed for a third reading on Tuesday next.

A Bill to be entitled an Act for the relief of William Raulerson and Ransom Foster;

Was read the first time and ordered for a second reading on Tuesday next.

House Bill to be entitled an Act to adopt an equal and uniform mode of Taxation in this State;

Was read the first time and ordered for a second reading on Tuesday next.

House Resolution fixing a day of adjournment and for other purposes;

Was read the first time, the rule waived, read a second and third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Eppes, Filor, Gillis, Hawes, Myrick, Nicholson, Smith and Tracy—13.

Nays—Messrs. Hopkins and Long—2.

So said Resolution passed.

Ordered that the same be certified to the House of Representatives.

Mr. Tracy moved a re-consideration of the vote just had;

Upon which motion the yeas and nays were called for by Messrs. Eppes and Gillis, and were:

Yeas—Messrs. Eppes, Gillis, Hopkins, Long, Myrick, Nicholson, Smith and Tracy—8.

Nays—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Filor and Hawes—7.

So the vote was re-considered.

On motion of Mr. Hopkins, the rule was waived, and Mr. Eppes offered the following amendment to said Resolution:

Insert after the figures 1855, in the fifth line, the words "*sine die*," and strike out the balance of said Resolution.

Upon which amendment the yeas and nays were called for by Messrs. Eppes and Filor, and were:

Yeas—Messrs. Bird, Eppes, Filor, Gillis, Hopkins, Long, Myrick, Nicholson, Smith and Tracy—10.

Nays—Mr. President, Messrs. Brinson, Cone, Criglar and Hawes—5.

So the amendment was adopted.

Mr. Brinson moved to strike out "13" and insert in lieu thereof "11;" also strike out "Saturday" and insert "Thursday."

Which amendment was agreed to, and the resolution read as amended the second time, and the amendments ordered to be engrossed for a third reading on Tuesday next.

Mr. Hopkins moved that the Senator elect from Hamilton be permitted to take his seat;

Which was carried.

The Senator elect, W. J. J. Duncan, having presented the certificate of the Secretary of State, was duly sworn by T. J. Eppes, a Notary Public.

On motion of Mr. Eppes, Mr. Myrick was excused from attendance upon the Senate after to-day.

A Bill to be entitled an Act to create a State Librarian, with House amendment;

Came up in order.

On motion of Mr. Eppes, the amendment was concurred in.

Ordered that the same be certified to the House of Representatives, and the Bill ordered to be enrolled.

House Bill to be entitled an Act to provide for taking the Census of 1855, in this State;

Was read the first time and ordered for a second reading on Tuesday next.

House Bill to be entitled an Act to authorize the Cuba and United States Submarine and Territorial Magnetic Telegraph Company to pass lines of Telegraph through the State of Florida and to protect the same;

Was read the first time, and on motion of Mr. Hopkins was laid on the table.

Mr. Provence presented a letter from James Gough;

Which was read, and on motion of Mr. Long was referred to the Committee on Corporations.

On motion the rule was waived, and Mr. Cone permitted, without previous notice, to introduce a Bill to be entitled an Act to repeal an Act to amend the several Acts concerning Licenses to retail Spirituous Liquors, and to restore in force the old Acts concerning Licenses;

Which was placed among the orders of the day.

House Bill to be entitled an Act to authorize Absalom W. Smith to establish a Ferry across the Suwannee River;

Was read the first time, the rule waived, read the second and third times, and upon the question of its passage, the vote was:

Yeas—Messrs. Bird, Brinson, Cone, Duncan, Eppes, Filor, Gillis, Hopkins, Long, Nicholson, Provence, Smith and Tracy—13.

Nays—Mr. Kilcrease—1.

So the Bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

On motion the rule was waived, and Mr. Kilcrease allowed to introduce, without previous notice, a bill to be entitled an Act in relation to fraudulent Loans of Chattels;

Which was placed among the orders of the day.

House Resolution in relation to Copying the Laws of the present Session, with Senate amendments, in which the House refused to concur;

Came up in order, and was, on motion of Mr. Kilcrease, laid on the table.

Resolution in regard to the introduction of Bills after the 6th inst.;

Was read the third time, and on motion the rule was waived, and Mr. Kilcrease offered the following as an amendment:

Strike out "Saturday" and insert "Monday;"

Which was agreed to.

The Resolution was read the third time as amended, and upon the question of its passage, the vote was:

Yeas—Messrs. Bird, Cone, Duncan, Filor, Gillis, Hopkins, Kilcrease and Nicholson—8.

Nays—Mr. President, Messrs. Brinson, Eppes, Hawes, Long, Provence and Smith—7.

So the Resolution passed, as amended.

Ordered that the same be certified to the House of Representatives.

On motion of Mr. Cone, the rule was waived, and the Resolution to adjourn on Thursday next, was read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Duncan, Criglar, Eppes, Filor, Gillis, Hopkins, Kilcrease, Nicholson, Smith and Tracy—14.

Nays—Messrs. Hawes, Long and Provence—3.

So the Resolution passed.

Ordered that the same be certified to the House of Representatives.

House Bill to be entitled an Act to provide for the re-establishment of the Records of St. Lucie County;

Was read the third time and put upon its passage, upon which the vote was:

Yeas—Mr. President, Messrs. Bird, Cone, Criglar, Duncan, Eppes, Filor, Gillis, Hawes, Kilcrease, Long, Nicholson, Provence, Smith and Tracy—15.

Nays—None.

So said Bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

House Bill to be entitled an Act to change the name of Charles Irvin Vincan, and for other purposes;

Was read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Criglar, Duncan, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Nicholson, Provence, Smith and Tracy—15.

Nays—None.

So said Bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

House Bill to be entitled an Act relative to Depositions taken under Commission;

Was read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Criglar, Duncan, Filor, Gillis, Hawes, Long, Nicholson, Provence, Smith and Tracy—12.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

A Bill to be entitled an Act for the relief of Cherry, a free woman of color;

Was read the second time, and on motion referred to the Committee on Propositions and Grievances.

House Bill to be entitled an Act authorizing the Governor to borrow money to redeem the outstanding State Script, issued under the Act of the 7th January, 1853;

Was read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Criglar, Hawes, Kilcrease and Nicholson—6.

Nays—Messrs. Brinson, Cone, Duncan, Filor, Hopkins, Long, Provence, Smith and Tracy—9.

So the Bill was lost.

Ordered that the same be certified to the House of Representatives.

On motion, the rule was waived, and Mr. Kilcrease moved that Mr. Duncan be placed on the several Standing Committees in lieu of Mr. Stewart;

Which was agreed to.

House Bill to be entitled an Act to amend an Act entitled an Act to raise a Revenue for the State of Florida, and defining the duties of the Collectors and Assessors thereof, approved July 24, 1845;

Was read the third time, and upon the question of its passage, the vote was:

Yeas—None.

Nays—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Duncan, Filor, Hawes, Hopkins, Kilcrease, Long, Nicholson, Provence, Smith and Tracy—15.

So the Bill was lost.

Ordered that the same be certified to the House of Representatives.

House Bill to be entitled an Act to amend the Attachment Laws now in force in this State;

Was read the first time, the rule waived, read the second time, and on motion referred to the Committee on the Judiciary.

House Bill to be entitled an Act to locate the Seminary of Learning to be established West of the Suwannee River, in this State;

Was read the first time, and ordered to be read a second time on Tuesday next.

House Bill to be entitled an Act to authorize W. M. C. Neel to establish a Ferry across the Chattahoochee River;

Was read the first time, the rule waived, read the second and third times, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Brinson, Cone, Criglar, Duncan, Eppes, Filor, Gillis, Hawes, Hopkins, Long, Nicholson, Provence and Tracy—14.

Nays—None.

So said Bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

House Bill to be entitled an Act to provide for the payment of Physicians who are summoned to attend Coroner's Juries;

Was read the first time, the rule waived, read the second time by its title, and on motion referred to the Committee on the Judiciary.

House Bill to be entitled an Act to repeal an Act entitled an Act to change the name of Oliver Price to that of Oliver Delk, and for other purposes, approved January 8, 1853;

Was read the first time, the rule waived, read the second and third times, and upon the question of its passage the vote was:

Yeas—Messrs. Duncan, Eppes, Gillis, Hawes, Hopkins, Long, Nicholson, Provence and Tracy—9.

Nays—Mr. President, Messrs. Bird, Brinson, Cone and Criglar—5.

So the Bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

Mr. Provence, from to Committee on Corporations, made the following report;

The Committee to whom was referred the communication of James Gough, have had the same under consideration and

REPORT:

That they find Mr. Gough erected his Mill in the year 1844, when the country was new, and when his enterprise made him almost a benefactor to a newly settling country. Your Committee further find that his dam throws water back, and over quite a number of

acres of low swampy land, which the State owns, and which is now liable to be entered or taken by pre-emption. Your Committee, in view of the above stated facts, offer the accompanying Bill, the provisions of which, in brief, are as follows:

1st. That James Gough shall hereafter be entitled to all the privileges and franchises to which he might have been entitled, if his mill had been erected by and under authority of an act of the Legislature.

2d. That it shall not be lawful for the Register of the State Lands, or the Trustees mentioned in Section 2d of an act entitled "An Act to provide for and encourage a liberal system of Internal Improvements in this State," to sell the lands over which the water has been or may be backed by the dam of Mr. Gough's Mill.

Respectfully submitted.

D. PROVENCE,

Chairman.

Which was read and the Bill placed among the orders of the day.

House Bill to be entitled An Act to define the duties of Witnesses in the several Courts of this State;

Was read the first time, the rule waived, and the Bill read a second time by its title.

Mr. Long offered the following amendment:

Provided, That witnesses shall continue to have the same right to demand and receive thier proper fees for attendance from day to day, from the party at whose instance they have been summoned, that is at present provided by law.

Which was agreed to.

Ordered that the amendment be engrossed for a third reading on Tuesday next.

A Bill to be entitled An Act concerning the Powers and Jurisdiction of the Court of Chancery;

Was read the first time, the rule waived, and the Bill read a second time.

On motion of Mr. Eppes, said Bill was referred to the Committee on the Judiciary.

On motion, the rule was waived, and Mr. Kilcrease, from the Committee on the Militia, made the following report:

The Committee on the Militia, to whom was referred that portion of the Governor's Message relating to the Militia, ask leave to make the following

REPORT:

That it is true the Militia of the State is in a disorganized condition, not, however, from the want of laws requiring an efficient organization, but from the fact that they are not applicable to the present sparsely populated condition of our State. Our Militia are too much scattered to allow of their concentration at one point in sufficient numbers for

Brigade, Regimental, or Battalion musters. With the view of remedying the defects in our present laws and making them applicable to our present condition, the Committee propose the accompanying amendments, and ask their adoption by the Senate.

The Committee do not deem it advisable to abolish the office of Quartermaster-General, or that the State Arms should be turned over to the Treasury, but would recommend their distribution to Volunteer Companies, under certain restrictions, and the passage of a Resolution asking Congress to allow the deposite of our State Arms to be made at the Arsenal at Mount Vernon, and at the Government Stores at Pensacola and St. Augustine.

Amendments Proposed to the existing Militia Laws.

Sec. 4th—Article 1st.—The Major-General shall attend a drill and review of the Officers of each Regiment of his Division, at least once in every four years.

Article 2d.—The Brigadier-General shall attend a drill and review of the Officers of each regiment of his Brigade, at least once in every two years.

Article 3d.—The Colonel of each Regiment shall, once in each year, call out the Officers of his Regiment, and drill, exercise and instruct them in the Battalion and Regimental drill, for at least two days.

Article 4th.—The Lieutenant-Colonel and Major shall, once in each year, assemble the Officers and non-commissioned Officers of their respective Battalions, and shall instruct and drill them in the School of the Company and Battalion, for at least two days.

Article 5th.—The Captains of each Company shall assemble the Officers and non-commissioned Officers of his Company, at least twice in each year, and shall instruct and drill them in the School of the Soldier and Company, not to exceed two days at any one time.

Strike out the entire 8th Section, relating to Musters.

Sec. 9—Article 2.—Captains of Companies shall make returns of their strength to the Adjutant of the respective Regiments, on the 30th day of June of each year.

Sec. 3—General Provisions—Article 1st.—Strike out the entire Article, and insert a provision for the encouragement of Volunteer Companies.

All of which is respectfully submitted,

WM. E. KILCREASE,
Chairman.

Which was read, and the report concurred in.

House Bill to be entitled Act to prevent White Females and Males from living in an open state of Adultery and Fornication, within the State of Florida, with Negroes and other Persons of Color;

Came up.

On motion of Mr. Hopkins, the Bill was indefinitely postponed.

Ordered that the same be certified to the House of Representatives.

House Bill to be entitled An Act to amend an act for the Regulation of Pilots and Pilotage of the Bay and Harbor of Pensacola, passed the House December 22, 1854;

Was read the first time, the rule waived, and the Bill read a second time by its title.

Mr. Criglar offered the following as an amendment, viz:

Provided, That no coasting vessels plying on the Gulf, between Key West and the mouth of the River Rio Grande, shall be subject to pay any Pilotage, unless the Master shall require the services of a Pilot.

Which was adopted.

Ordered that the amendment be engrossed, and the Bill read a third time on Tuesday next.

House Bill to be entitled an Act amendatory of the Act to provide for the payment of Coroner's Juries, approved 24th January, 1851;

Was read the first time, the rule waived, read the second and third times by its title, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Criglar, Duncan, Eppes, Hawes, Hopkins, Long, Nicholson, Smith and Tracy—12.

Nays—Mr. Cone—1.

So the bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

House Bill to be entitled an Act for the preservation of Bridges;

Was read the first time and ordered for a second reading on Tuesday next.

On motion of Mr. Long, the following Committee was appointed on Finance, viz:

Messrs. Filor, Eppes, Brinson, Long and Tracy.

House Bill to be entitled an Act to cede certain property to the city of Key West;

Was read the first time, the Rule waived, read the second time by its title, and on motion of Mr. Filor indefinitely postponed.

A Bill to be entitled an Act to repeal an Act entitled an Act to amend the several Acts concerning Licenses to retail Spirituous Liquors, and to restore in force the old Acts concerning Licenses;

Was read the first time, the rule waived, read the second and third times by its title, and upon the question of its passage the vote was:

Yeas—Messrs. Brinson, Cone, Criglar, Duncan, Eppes, Hopkins, Kilcrease and Tracy—8.

Nays—Mr. President, Messrs. Bird, Filor, Gillis, Hawes, Long, Nicholson, Provence and Smith—9.

So the bill was lost.

House Bill to be entitled an Act to legitimize and change the names of certain persons therein named;

Was read the first time, the rule waived, read the second and third

time by its title, and upon the question of its passage, the vote was:
Yeas—Messrs. Bird, Brinson, Cone, Criglar, Duncan, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Nicholson, Provence, Smith and Tracy—16.

Nays—Mr. President—1.

So the bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A Bill to be entitled an Act to repeal an Act in relation to Fraudulent Loans of Chattels;

Was read the first time, the rule waived, read the second time by its title, and on motion referred to the Committee on the Judiciary.

A Bill to be entitled an Act for the Benefit of James Gough;

Was read the first time, the rule waived, read the second time, and ordered to be engrossed for a third reading on Tuesday next.

On motion the rule was waived, and Mr. Hopkins introduced, without previous notice, a Bill to be entitled an Act to authorize Samuel B. Thompson to establish a Ferry across the South Fork of Black Creek;

Which was read the first time, the rule waived, read the second and third times by its title, and upon the question of its passage, the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Duncan, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Nicholson, Provence, Smith and Tracy—17.

Nays—None.

So the bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

On motion the Senate adjourned until Tuesday morning, 10 o'clock.

TUESDAY, January 9, 1855.

The Senate met pursuant to adjournment.

Rev. Mr. Turner officiated as Chaplain.

A quorum being present;

Mr. Long informed the Senate of the indisposition of its President, Mr. Snell.

On motion, Mr. Tracy was elected President *pro tem*.

On motion of Mr. Filor, the reading of the Journal was dispensed with.

The following communication was transmitted to his Excellency the Governor:

HOUSE OF REPRESENTATIVES, }
January 9, 1855. }

HIS EXCELLENCY JAMES E. BROOME,

Governor of the State of Florida:

SIR:—We have the honor to inform your Excellency that at a

Joint Meeting of the General Assembly, held on the 5th inst., for the purpose of electing a Comptroller of Public Accounts, a State Engineer and Geologist, a Treasurer, and Clerk of the Supreme Court;

Mr. Theodore W. Brevard was declared duly elected Comptroller of Public Accounts of the State of Florida;

Mr. Francis L. Dancy was declared duly elected State Engineer and Geologist;

Mr. Charles H. Austin was declared duly elected Treasurer of the State of Florida;

Mr. John P. K. Savage was declared duly elected Clerk of the Supreme Court of the State of Florida.

Very respectfully,

G. D. LIVINGSTON,

Secretary of the Senate.

HUGH A. CORLEY,

Clerk House of Representatives.

The following Bills and Resolution, which had passed both Houses of the General Assembly, and had been enrolled and signed by the presiding officers thereof, were transmitted for approval to the Governor, viz:

An Act in relation to the electing of County Commissioners in Gadsden County;

An Act to empower the County Commissioners of Wakulla County to levy a Tax for the purpose of building a Court House in said County;

An Act explanatory of the several acts in relation to the Migration of Negroes and Free Persons of Color into Key West;

An act to prevent fraudulent voting;

An Act governing Judges of Probate in certain cases;

An Act to change the time of holding the Circuit Court of Calhoun County;

An Act to Improve the Navigation of the Harbor and Bay of Apalachicola;

Resolution relative to the Improvement of St. Johns Bar, and the Preservation of the Site of the St. Johns Light House.

The following Bills and Resolutions, which had passed the Senate, were transmitted to the House of Representatives, viz:

A Bill to be entitled An Act amendatory of an act amendatory of the several acts now in force in this State, in relation to Trading with Negroes;

A Bill to be entitled an Act to authorize Samuel B. Thompson to establish a Ferry across the South Fork of Black Creek;

House Bill to be entitled an Act to provide for the re-establishment of the Records of St. Lucie County;

House Bill to be entitled an Act to change the name of Charles Irvin Vincan and for other purposes;

House Bill to be entitled an Act relative to Depositions taken under Commission;